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AMENDMENTS TO THE DRAWINGS

None.

REMARKS

Reconsideration and allowance of this application in light of the foregoing amendments and accompanying remarks is respectfully requested.

THE CLAIM AMENDMENTS

Claim 4 has been written in independent form to include all the limitations of independent claim 1, and claim 16 has been written in independent form to include all of the limitations of independent claim 14. No other limitations were added to the claims.

THE ALLOWANCE OF CLAIMS 17-22

The Examiner's allowance of claims 17-22 in the Official Action dated November 16, 2005 has been noted with appreciation.

THE OBJECTION TO CLAIMS 4-6 AND 16 IS OVERCOME

Independent claim 4 has been rewritten in independent format, and independent claim 16 has been rewritten in independent format. In view of the Examiner's indication in the Official Action item 8 that claims 4-6 and 16 would be allowable if rewritten in independent form, the allowance of claims 4 and 16, each rewritten in independent form, along with the claims 5 and 6 dependent upon claim 4, is respectfully requested.

THE REJECTION OF THE CLAIMS 1-3, 7, 10, AND 12-15 ARE OVERCOME

Claims 1-3, 7, 10, and 12-15 were rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent No. 4,366,921 to Kirk, Jr.

The Examiner is respectfully requested to consider the following comments regarding what Kirk explicitly teaches and what it does not teach vis-a-vis the present invention as set forth

in the rejected claims.

Kirk discloses a closure member 22 (FIG. 2) having a top 26 (FIG. 2) from which depends a skirt 24 (FIG. 4) that includes an interior spiral thread 34 (FIG. 2). The outer surface of the skirt 24 includes a plurality of spline members 25 (FIG. 4) which are spaced apart by recesses 29 (FIG. 4). The spline members 25 are connected at their bases by a lower annular band 28 (FIG. 4).

The closure member 22 is adapted to be screwed on to the threaded neck of a container or bottle. As shown in FIG. 9, the bottle has a neck 16 (FIGS. 8 and 9) with an exterior spiral neck 18. The bottle neck 16 is also provided with ratchet teeth 20 (FIG. 9) which project from an annular ring 19 (FIG. 9) which is integrally formed with the bottle neck 16.

Kirk also discloses the use of a peripheral collar 23 (FIGS. 2, 5, 6, and 7). The collar 23 has a child-resistant function. The collar 23 includes a series of radially inwardly extending lugs 30 (FIG. 5) which are adapted to be received in the recesses 29 between the splines 25 of the closure member skirt to permit the collar 23 to be axially movable on the closure member 22 while being rotatively coupled thereto. The collar 23 also includes a lower ring of ratchet teeth 32 at the lower end of the collar. The ratchet teeth 32 project inwardly to engage the connecting ratchet teeth 20 on the bottle neck 16 (see column 14, lines 3-19) when the collar 23 is in its lowermost position.

One of the purposes of the collar 23 is to be rotatably coupled to the closure member 22 and to also be capable of engaging the ratchet teeth 20 of the bottle neck 16 with the ratchet teeth 32 of the collar. The collar 23 is axially movable on the closure member 22, and thus, the collar

23 and closure member 22 cannot, and do not, fit tightly together in the radial direction. There is no tight “fitting contact” of the two elements the would prevent axial movement of the collar 23.

It is important to realize that the collar 23 must be axially movable. Otherwise, an adult would not be able to unscrew the closure member 22. In order to unscrew the closure member 22, the collar 23 must be lifted up by the adult so that the collar ratchet teeth 32 no longer engages the bottle teeth 20. This permits the adult to then rotate the collar 23 to unscrew the closure member 22 so as to remove the closure assembly from the container or bottle 15.

It is submitted that the collar 23 cannot deform, and does not deform, the closure member 22--certainly at least not radially inwardly. In contrast with the arrangement of components disclosed in Kirk as discussed above, the present application rejected independent claims 1, 10, and 14 all require the external ribs on the retainer ring to be arranged for “coming in fitting contact” against the internal wall of the surrounding lining collar.

Kirk does not explicitly teach or require such an arrangement.

Accordingly, withdrawal of the rejections of claims 1, 10, and 14 as being anticipated by Kirk is respectfully requested.

The other claims, claims 2, 3, and 7, and 12-15 are each directly or indirectly dependent upon one of the above-discussed independent claims 1, 10, and 14. Therefore, these dependent claims should be allowable for the same reasons that the parent independent claims are allowable as discussed above. Accordingly, withdrawal of the rejections of the dependent claims 2, 3, 7, and 12-15 is respectfully requested.

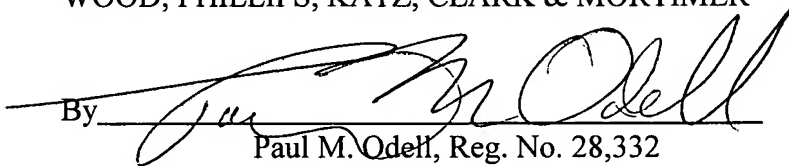
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It is believed that all of the claims in the application, as amended, are now in condition for allowance, and such action is earnestly solicited.

Further, it is believed that this entire application is now in condition for allowance, and such action is respectfully requested.

Respectfully submitted,

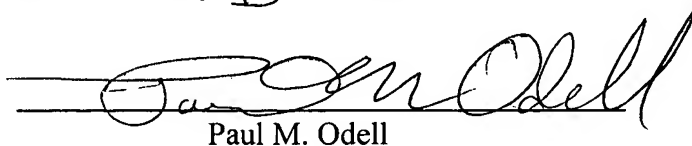
WOOD, PHILLIPS, KATZ, CLARK & MORTIMER

By 
Paul M. Odell, Reg. No. 28,332

500 West Madison Street, Suite 3800
Chicago, Illinois 60661-2511
(312) 876-1800

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I hereby certify that this correspondence is being deposited with sufficient postage as First Class Mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on February 15, 2006.


Paul M. Odell